

EXHIBIT KKK

From: Swirnow, Joshua <Joshua.Swirnow@nyulangone.org>
Sent: Wednesday, November 18, 2020 11:43 AM
To: Kaplan, David (FGP-Ambulatory Operations)
Subject: RE: Dr Sari Edelman

Give me call, will fill you in

From: Kaplan, David (FGP-Ambulatory Operations)
Sent: Wednesday, November 18, 2020 11:04 AM
To: Swirnow, Joshua
Subject: RE: Dr Sari Edelman

How did the call go with Dr. Porges?

From: Swirnow, Joshua <Joshua.Swirnow@nyulangone.org>
Sent: Wednesday, November 18, 2020 9:18 AM
To: Kaplan, David (FGP-Ambulatory Operations) <David.Kaplan2@nyulangone.org>
Subject: RE: Dr Sari Edelman

thanks

From: Kaplan, David (FGP-Ambulatory Operations) <David.Kaplan2@nyulangone.org>
Sent: Wednesday, November 18, 2020 9:09 AM
To: Swirnow, Joshua <Joshua.Swirnow@nyulangone.org>
Subject: Fwd: Dr Sari Edelman

Here you go.

Sent from my iPhone

Begin forwarded message:

From: "Porges, Andrew" <Andrew.Porges@nyulangone.org>
Date: November 6, 2020 at 4:31:20 PM EST
Subject: Dr Sari Edelman

Dear David,

As we discussed, I feel it is important to update you regarding the performance of Dr Sari Edelman. A review of some specific examples of problematic behavior will be attached at the end of this email. The office staff, both clinical and administrative have come to me frequently over the past several years with concerns about Dr Edelman. Complaints have been ongoing for years, but they have somewhat escalated recently. The concerns relate to the quality of her patient care as well as to her treatment of other NYU employees in the office.

Inappropriate and abusive interactions have been reported in the office by management, colleagues as well as more junior staff such as medical assistants.

Concerns regarding patient care have been raised based upon patient complaints as well as more anecdotal observations. I have not performed a formal review of Dr Edelman's clinical notes, however I have had the opportunity to review many charts and observe her practice when seeing patients in the office for second opinions or occasionally for emergency practice coverage. Dr Edelman has a pattern of ordering lab tests in a pattern not in keeping with the usual standards of rheumatology practice. Her MA is routinely needing more than 10 tubes of blood to run a long list of obscure tests. The result of excessive testing is many false positive results, which then leads to more testing and some questionable diagnoses being pursued. In many cases, as a result of excessive testing important true positive findings have been lost for weeks or longer. Similarly, the Xray techs have come to me on many occasions expressing concern regarding excessive Xrays. I have received complaints that she is ordering xrays on more than 10 areas in a single patient visit on a frequent basis. Aside from the resultant work flow, the Xray staff are genuinely concerned about unnecessary patient Xray exposure. I, and other clinicians, upon reading her notes often find it difficult to ascertain the primary clinical issue and it seems a clear diagnosis with classic positive serology is the exception in her patients.

Please note the following issues and examples:

-
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- Dr. Edelman does not read
- her Outlook emails in a timely manner
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-
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- Dr. Edelman does not close
- her encounters in a timely manner
-

Dr. Edelman did not report to the office for several months during Covid, from March 23 through June 10, and returned intermittently until July 7. She is still maintaining a shorter schedule to minimize her time in the office.

11.13.19 Dr. Edelman lashed out at Miriam after Miriam asked her basic questions about her schedule.

6.15.20 Patient complained that a video visit was conducted in an unprofessional manner, Edelman's daughter interrupted the visit twice.

9.8.20 Dr. Edelman created an inappropriate chart note directed at our Shields Pharmacy Liaison stating that she does not communicate through Outlook email, and that missed messages may lead to liability. This message had no place in a patient's chart.

9.9.20 Dr. Edelman was 90 minutes late to the office, did not inform the manager in a timely manner – 6 patients were waiting, this is a frequent complaint from her patients that Dr. Edelman runs late.

9.15.20 Dr. Edelman complained that the MA did not review patient's medications, the MA did on the patient in question. Dr. Edelman frequently accuses staff of not doing work that was in fact done, creating unnecessary efforts and tension.

9.16.20 Pt. MRN 1444267 complained that Dr. Edelman frequently runs late, and switched to another provider

10.6.20 Dr. Edelman demands that her MA takes verbal orders, and does not follow up with placing the order in EPIC

10.19.20 Dr. Edelman complained to Miriam that during the Rheum Educational Conference, the physicians were discussing politics making her uncomfortable. Witnesses to the conversation stated that there was nothing inappropriate being discussed, and this is an example of Dr. Edelman making an unfounded complaint against her colleagues.

10.20 Patient was seen in the office by a different provider an hour before her visit with Dr. Edelman; orders were entered by Rosemary Fine and had blood drawn, When the patient saw Dr. Edelman, the physician entered duplicate blood orders; the patient was upset because the patient received duplicate bloods. Had Dr. Edelman reviewed the chart, she would have seen the results.

10.28.20 Dr. Edelman complained to Miriam that a visco order was never processed, when in fact she never placed the order when she said she did.

10.28.20 During a Webex conference, Miriam asked Dr. Edelman to mute her phone, Dr. Edelman lashed out at Miriam telling her to "don't touch me, don't come near me" this was heard by all attendees and staff on the floor.

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Below is an extended email interaction with one patient:

October 10, 2020

REDACTED

to Edelman, Sari Dawn, DO

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6:07 PM

Urgent

I have had extreme diarrhea since last last IV on Thursday It Saturday at 6 pm and I cannot get comfortable at all and have been expressing nothing but liquids from diarrhea for two days. What can I do to stop this. I need your help you are my doctor please for the love of god help me
I'm begging you please I cannot go too a hospital so please don't suggest that I need help

October 12, 2020

TB

7:46 AM

Tiffany Benjamin routed this conversation to Sari Dawn Edelman, DO

Sari Dawn Edelman, DOto **REDACTED**

3:09 PM

The email system has delay. I just received this. It came in this morning after I started patient hours, so going through messages now. I can see you did send over Friday but I was on portal over weekend and not in my inbox. This means that message first went manager box, and then had be routed to me, so delayed. The email not intended as urgent communication system, and states on messaging that 2-3 day turn around (because actually is before I get it sometimes). It goes to central system, then gets routed out to managers, and then to me.

You can always reach my by service which sends me text for urgent issues. I tried call you now, went to voicemail.

I left you my cell. Hoping the diarrhea subsided by now. If did not have additional questions before decide next step.

Dr. Edelman

Last read by **REDACTED** at 3:11 PM on 10/12/2020.

to Edelman, Sari Dawn, DO

3:31 PM

You left a message on my. Husbands cell phone not mine which I don't understand at all.

The messages were ready by someone this morning because I was watching my sent box and was able to see when they were read. Regardless the portal is useless and never explained how it works to patients which is extremely poor customer service which I reviewed with the only dr the actually cared about and saw me this morning Dr Michael Levine one flore down from you at 1040am (Dr Levine always answers his emails

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from the portal because he reads them from his phone I guess he's dedicated)

The infusion is doing absolutely nothing but you wouldn't know that because not one person ever contacted me after a treatment to see how I was handling the medication having a reaction nothin not your office or the infusion center on the first floor so I am going to give it one more try in November.

Couldn't figure out why I was having trouble with diarrhea; was a combination of the infusion and my new pain management medication which the infusion nurse assisted me in application to my torso.

I was Totally agitated no sleep for two days, massive uncontrollable diarrhea and feeling like I was jumping out of skin couldn't get comfortable and came close to killing myself with an entire bottle of morphine but thank god my husband was here to take of me.

That's why I reached out to you, my doctor, because I didn't know what was going and it was so soon after the infusion. Oh well live and learn who you can count on and who you can't.

Goodbye see you at the end on November because that the only time you see patients before 10am

REDACTED
Sari Dawn Edelman, DO
to **REDACTED**

4:00 PM

I was on my portal this weekend on computer both Saturday and Sunday. The message you sent went to manager first, who did not actually forward to me until this morning after I started hours. Of course I would have called you if had seen it this weekend. System is terrible, but not intended for urgent care. We have phone service 24 hours. I received multiple messages this weekend from this center for issues needed more immediate attention, as come directly to me on my cell. Each office set up differently but here like mailroom, messages come in, sit someone box until sorted and routed each doctor. Not sure how Dr. Levine office route's and sorts, but sounds like more direct process.

In any case, I am thinking if Fentanyl new, may be more likely this is side effect of patch. Orendia you have been receiving without this reaction now in past, so less inclined to feel from medication. Did you get to reach your pain management doctor? Any fever or cramping pains?

Dr. Edelman

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Last read by REDACTED at 11:05 AM on 10/14/2020.
October 14, 2020

REDACTED

to Edelman, Sari Dawn, DO

11:17 AM

Why did you call my husband and not me ??? You still have not addressed that at all

How am I to contact you urgently if all I have is the portal and not a service?

Pain management was called sat 5a but no call back until office opening 4.3 hours later so they were useless as well

The only doctor to respond to me was dr Michael Levine and immediately told me to get to the office, one floor below your office, so my husband immediately brought me there and I was treated with the utmost respect and professionalism

I was going through a detox from the morphine to the fentanyl regarding the opioid ratio of the two treatment plans I was coming off of and going on and I did it during the infusion which I have ALWAYS had a bad reaction too that lasts at least three days which I told you in person about during my last office visit which I guess you don't recall

I am still not well from weekends troubles but it's just not as extreme

Have a wonderful day

REDACTED

Sari Dawn Edelman, DO

to REDACTED

4:49 PM

These are numbers listed on your chart:

Preferred Phone:

REDACTED

Home Phone:

REDACTED

Mobile Phone:

REDACTED

Work Phone:

REDACTED

I believe I called REDACTED line. Is this not your phone? My office line is 5164676800. Option for emergencies, then routes to answering service who pages me.

Hope this helps.

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Last read by [REDACTED] at 2:45 PM on 10/15/2020.
October 15, 2020

[REDACTED]

to Edelman, Sari Dawn, DO

2:46 PM

You called [REDACTED] my husband for the third time I'm not a liar nor stupid

Sari Dawn Edelman, DO

to [REDACTED]

5:53 PM

I may have called his number, as screen lists your name, then says spouse name, then under it has phone number. If look quickly appears like your number, not his, as only one number listed there. I may have inadvertently called him thinking was your number. I'm sorry about this and will be more aware in future not to dial number listed on that screen as apparently belongs to partner and not patient.

Guess you really don't care about me at all Thanks a lot. People are right doctor's only care about what insurance checks they get. Thank you for showing your true self

October 12, 2020

Here is another example of an inappropriate message in an EPIC chart

Confidential**Sari Dawn Edelman, DO**

to REDACTED

9:36 AM

Note

Error! Hyperlink reference not valid.

Did you send it in Epic? I do not have it on my desk, and it is not scanned in so likely I did not receive it.

I do not use NYU email for any patient related work. I will not open it, as it is not part of medical chart and therefore it violates OPC regulation as keeping information separate from legal chart. In past I had patient report complaint to OPC regarding billing, and it was found documentation done in NYU emails, and therefore not included in patient record. OPC considered this serious violation as patient has rights to their chart including billing and all ancillary services. By placing information in separate system not linked to patient chart it is essentially considered "hiding" information. Thank goodness I was not found culpable as I was not on any of the emails, and therefore it did not impact my medical licence. I did have to incur cost of private counsel though to prove this. However, the office team management who had used NYU email to correspond patient information this way was found responsible and there were communications with OPC and our office team at time. Since then only use NYU email for professional correspondence. Absolutely no patient communications.

The management involved in this matter is no longer with NYU.

If you send me information this way I would not have received it as I will not even open it. During pandemic we had use email NYU as unable scan into Epic faxes so forced to communicate this way and I informed patients that email not secure, and not part of chart during pandemic so there would be transparency. Now that office been open sometime have not used this method of patient receiving faxes/forms several months.

Please print form or fax to office so Miriam can print and place on my desk.

Dr. Edelman

Patient Complaint received on 6/15

Conversation | PT Visit Info | Meds/Problems | Vitals/Labs | My Last Note | Help | 1 Results Not Significant | More

Previous Visit

Date & Time	Department	Encounter #
6/15/2020 3:30 PM	NYU LANGONE LI RHEUMATOLOGY	792905129

Message

Hello Dr. Edelman,

I was very disappointed in the way you conducted our video visit this afternoon. It was very unprofessional as there was no privacy on your end with the door behind you opened. After you excused yourself for I assume your daughter, who was waving her mask in front of the camera, another or the same daughter came into the room and sat on your chair and was waving at me. You did apologize but I expect my doctors if they have to work from home to conduct their visits professionally as HIPPA requires!!

I hope if our next visits have to be done this way that there will be no interruptions and complete privacy! Thank you.

REDACTED

Encounter Notes

From: Ruiz, Miriam <Miriam.Ruiz@nyulangone.org>

Sent: Wednesday, November 13, 2019 11:33 AM

To: Antonik, Joseph <Joseph.Antonik@nyulangone.org>; Lucca, Nicole <Nicole.Lucca@nyulangone.org>

Cc: Magen, Gloria <Gloria.Magen@nyulangone.org>

Subject: Conversation with Dr. Edelman

Hi Joe and Nicole

I just had a conversation with Dr. Edelman about her schedule here at Marcus Avenue.

1. I asked her what time would she would like to start here at Marcus she replied just move the patients over.
2. I can't get here early but I will honor the patients appointments.
3. I asked her if she had a preference of what time she would like to start?
4. She replied I am not giving you set hours I don't want patients to be put in by call center, this is just for Huntington patients.
5. I asked again, if a patient is unable to get here for 8:30 what do you want me to do.
6. She replied in a very loud, demeaning tone: YOU are NOT understanding me. I want the patients to just be moved over.
7. In January, I will TELL you what my hours will be.
8. I simply said ok, and she stormed out.

I find this to be very unprofessional, inappropriate and demeaning. I am here to fully support Dr. Edelman but not under these circumstances.

I appreciate your time.

Thank you

Miriam Ruiz

Please let me know how I can be of further assistance to you and administration in resolving this

Regards

Andy

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From: Porges, Andrew
Sent: Friday, November 6, 2020 4:31 PM
To: Kaplan, David (FGP-Ambulatory Operations)
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